

KITTANNING BOROUGH COUNCIL MEETING

January 4, 2021; 7:00 PM

Location: Via Zoom

MINUTES

The Regular Meeting of Kittanning Borough Council was called to order by Council President, Scott Davis. Betsy Wilt, Phil Brautigam, Chris Schiano, Joe Kiehlmeier, Lesley Williams being present. Andy Peters and Mike Johns were absent

Also present were James Mechling, Superintendent of Public Works; Earl Kline, Fire Marshal; Tyler Heller, Solicitor, Jennifer Bellas, Borough Manager, Richard Pete Harmon, Codes Officer, and Bruce Mathews, Chief of Police. Other visitors online included Bev Soloski, Donald Blose, Erin Lasher, Nicole Brannon, and Nick Vercilla of the Leader Times.

MINUTES:

A motion was made by Betsy Wilt and seconded by Lesley Williams, to accept the Minutes of the Regular Meeting of December 7, 2020 and the Recessed Meeting of December 22, 2020. Motion carried unanimously

BILLS:

A motion was made by Betsy Wilt and seconded by Lesley Williams to pay General Fund Bills as presented and to make the proper transfers. Motion carried unanimously.

SOLICITOR'S REPORT:

Mr. Heller reported that over the last month, a meeting was held with Mr. Davis, Ms. Bellas and himself to discuss the Vacancy Ordinance, more specifically to set a fee schedule for vacant property registration. Additionally discussed at the meeting were commercial building inspections. Mr. Heller will make sure the ordinances will be updated and advertised so that Council can adopt in February.

BOROUGH MANAGER'S REPORT:

Appointments are necessary to be made for 2021 as follows:

- Council needs to appoint the Vacancy Board Chairman position. Ken Nelson has held this position for years, and is still interested. Mr. Heller explained that the Vacancy Board consists of the chair and all of council and would be used to fill a vacancy on council that has been filled within the timeframe outlined in the code. Chris Schiano made the motion to appoint Ken Nelson as the Vacancy Board Chairperson for 2021 and the motion was seconded by Betsy Wilt. Motion carried unanimously.

- Council needs to appoint the Borough Solicitor. Mechling & Heller has held this position for years, and is still interested. Chris Schiano made the motion to appoint Mechling & Heller as Kittanning Borough's Solicitor for 2021 and the motion was seconded by Phil Brautigam. Motion carried unanimously.
- As per an email from Brigid Beatty of the Armstrong County Planning Office, Council needs to appoint a UCC Representative and an Appeals Board Candidate for 2021. Jim Mechling has been council's UCC representative in the past. Ms. Bellas informed council that she would contact Ms. Beatty about who Council's Appeals Board Candidate was in 2020. Betsy Wilt made the motion to appoint Jim Mechling as Kittanning Borough's UCC Representative for 2021 and the motion was seconded by Phil Brautigam. Motion carried unanimously.
- Council needs to appoint a Floodplain Administrator, Zoning Officer and an inspector to complete Occupancy Permit Inspections/Non-Compliance Inspections. Ms. Williams updated council that she is not happy that Richardson Inspection Services is coming to town to complete inspections but isn't telling us when they are here. The code says that the CEO shall be present when the inspections are done, and she wants Pete to be there. She is also concerned that the Borough isn't being informed of zoning permits until Richardson has reviewed them and provides a decision. She would like to know what applications are being submitted. Mr. Davis let council know that a meeting was being held on Wednesday with Richardson Inspection Services and that these issues will be discussed. Ms. Williams asked that the appointment be tabled until after the meeting on Wednesday. This item will be added to the February agenda.
- Council needs to appoint a Borough Engineer. Ms. Bellas informed Council that Senate Engineering Company has held the position for 20+ years. Betsy Wilt made the motion to appoint Senate Engineering Company as the Borough's Engineer. Phil Brautigam seconded the motion. After second was made, Mr. Brautigam asked for discussion on the topic, specifically whether or not the Borough was required to have a Borough Engineer. Mr. Heller informed Council, that services such as Solicitor and Engineer work at the pleasure of Council. It is good to have somebody appointed in those positions, but that Council can remove at any time. After the discussion a vote was held and the motion was carried unanimously.

Resolution 478-2021 was presented to Council authorizing the disposition and destruction of the records indicated on the Documents to Destroy List January 2021 in accordance with the Municipal Records Manual. A motion was made by Phil Brautigam and seconded by Betsy Wilt to approve the resolution as presented. Motion carried unanimously.

Ms. Bellas informed council that she had been working with Marsico Financial Consultants to complete the 2019 Audit, and it is near completion and should be ready to submit to DCED within the next week or so. Ms. Bellas let Council know that this is the quickest an audit has been

completed for the Borough in years. The Borough is in receipt of an invoice in the amount of \$7,950 from Marsico for their work on the 2019 Audit. A motion is needed prior to making the payment. A motion was made by Betsy Wilt and seconded by Chris Schiano to approve payment to Marsico. Motion carried unanimously.

Ms. Bellas informed council that the new garbage truck had been sent to Tri-County Truck Center for repairs to the rear axle (axle broke and tore the housing). This work was not covered under the warranty or extended warranty purchased for the truck. The Borough is in receipt of an invoice in the amount of \$5,767.18 for those repairs and a motion is needed prior to making the payment. A motion was made by Lesley Williams and seconded by Phil Brautigam to approve payment to Tri-County Truck Center. After the motion was made, Mr. Kiehlmeier raised the question about why Tri-County Truck put coolant into the truck, this should be a maintenance item that the Borough mechanic should be doing. Mr. Mechling told Council that the garbage truck didn't go in for the coolant replacement, but it may have just been done while the truck was in their possession. Motion carried unanimously.

Ms. Bellas received an Audit Engagement Letter from Marsico Financial Consultants to start the 2020 Audit. The price to complete the audit is \$7,950, which is the same amount as was for the 2019 Audit. A motion is needed to permit the Borough Manager to sign the engagement letter and submit it to Marsico. A motion was made by Joe Kiehlmeier and seconded by Chris Schiano to approve the Manager to sign the engagement letter and to submit to Marsico. Motion carried unanimously.

The Borough has received a letter from Nextier Bank regarding a cyber breach of their system. They are offering 12 months of credit monitoring and identity theft protection services through TransUnion at no cost. A motion is needed to enroll in the identity theft protection services. A motion was made by Chris Schiano and was seconded by Joe Kiehlmeier to enroll in the service. Ms. Williams asked after the motion was made if the service was worth while. Mr. Heller replied that it is worth the while, but to make sure that after the 1 year no cost service, that it is cancelled or else the Borough will be charged. Motion carried unanimously.

MAYOR'S REPORT: - covered with the Chief's report

FIRE MARSHAL'S REPORT: - submitted

Mr. Kline covered his report and wished everyone a Happy New Year and wishes for 2021 to be better than 2020.

CODE ENFORCEMENT OFFICER'S REPORT: - submitted

Codes Officer Harmon covered his report.

Ms. Williams stated that snow removal is the responsibility of the property owner, and for those that are landlords they are to ensure their tenants are doing the snow removal. She asked that we cite the offenders immediately – don't issue letters. Snow is here and then gone, we need to move quickly on issuing citations.

Mr. Heller brought up the Borough's ticketing ordinance and the fact that council needs to adopt a version of tickets to be used deciding what the repeat offenses are so they can be listed on the ticket with the fine, printed and utilized. Chief Mathews enlightened those in attendance that there is ticket utilized now with an open area to list the appropriate code and violation. If changes are going to need to be made to the current ticket, a meeting should be scheduled because he will need to order a new batch of tickets this year. Further discussion led to who can issue these tickets – Codes Enforcement Officer, Police, Jim – additional discussions need to be held. Ms. Williams wants a meeting in January with the President, Chief, Pete and Ty if possible for further discussion.

CHIEF OF POLICE REPORT: - submitted

Chief Mathews covered his report, highlighting the fact that the department received their PCCD grant funding in the amount of \$7,981.37. His department filed for additional funds in the amount of \$3,150 for the cleaning of the borough building and police station. The additional costs were awarded and the cleaning will be taking place soon.

Chief Mathews thanked Good Brother Tires and Mayor Kline for a donation of the set of tires to the department to try.

Chief Mathews would like to have a meeting this month with personnel and the solicitor to discuss motorized vehicles on the trail. He would like to get something in place before Spring/Summer.

Ms. Wilt and Ms. Williams asked if he is keeping John Whelan Park closed through the winter. The Chief said yes, as has been done in the past until the weather breaks because there is no winter maintenance in the park. Ms. Wilt stated that there are kids jumping the fence and crawling underneath the fence where it is broken.

A motion was made by Joe Kiehlmeier and seconded by Phil Brautigam to accept the Fire Marshal's Report, the Code Enforcement Officer's Report, and the Chief of Police Report as presented. Motion carried unanimously.

FINANCE COMMITTEE REPORT – BETSY WILT, CHAIRPERSON

Nothing to Report

PERSONNEL COMMITTEE REPORT – CHRIS SCHIANO, CHAIRPERSON

Nothing to Report

SEWAGE COMMITTEE REPORT – JOE KIEHLMEIER, CHAIRPERSON

Nothing to Report

PUBLIC SAFETY (POLICE & FIRE) COMMITTEE REPORT – PHIL BRAUTIGAM, CHAIRPERSON

Nothing to Report

PARKS – RECREATION - REVITALIZATION COMMITTEE REPORT – JOE KIEHLMEIER, CHAIRPERSON

Mr. Kiehlmeier reported to Council that the Whelan Park Improvements – Phase I Project is set to be advertised on January 18 & 21, 2021 in the Leader Times. Bids will be accepted and publicly opened on February 22, 2021.

LIBRARY COMMITTEE REPORT – BETSY WILT, CHAIRPERSON

Nothing to Report

STREETS – BUILDING - MAINTENANCE COMMITTEE REPORT – MIKE JOHNS, CHAIRPERSON

Mr. Johns was absent, so Ms. Bellas covered the following items:

A reminder to all residents that there will be no garbage collection on January 18th due to the holiday. The modified garbage collection schedule for that week will be 1st Ward – Tuesday; 2nd Ward – Wednesday; 3rd Ward – Thursday and 4th Ward – Friday.

During the heavy snow storm prior to Christmas, complaints were received about snow removal along Hawthorne Avenue. The Street Committee should meet to discuss how to disseminate information regarding the Parking Restrictions already in place via ordinance for Snow Removal and Street Cleaning and then how to work with the Police to enforce this during snow events. Hawthorne is a very narrow street, and in order to get a plow successfully down the street, cars need to be moved timely.

Fair Street Water Issue – Senate Engineering visited the site and has stated that cross sections are required to make any decision on what needs to be done to eliminate the standing water. Once the cross sections are completed, they will make their recommendation on how to repair the street and will provide a cost estimate.

CODES COMMITTEE REPORT – LESLEY WILLIAMS, CHAIRPERSON

Ms. Williams reminded all residents that snow must be removed from sidewalks within 24 hours of an event.

BUILDING & MAINTENANCE COMMITTEE REPORT – JOE KIEHLMEIER, CHAIRPERSON

Nothing to Report

TOWN & COUNTRY TRANSIT REPORT – ANDY PETERS, CHAIRPERSON

The Borough is in receipt of Invoice 20.21 KB LM from Town and Country Transit in the amount of \$8,473. This is the Borough's match. A motion is required prior to payment being issued. A motion was made by Joe Kiehlmeier and seconded by Betsy Wilt to approve the payment of the invoice. Motion carried unanimously.

VISITORS REQUESTING TO BE HEARD:

Erin Lasher – Tax Collector

Ms. Lasher was in attendance to ask for a Resolution to be passed by Council similar to resolution 270-1994 but with a few changes. Ms. Lasher is asking council to change the cost to the 3 year tax certification that she has to complete from time to time from \$15/report to \$20/report. Ms. Lasher is asking to add language to the resolution so that she can recoup fees for bounced/NSF checks from taxpayers. Mr. Heller asked Ms. Lasher what those bank fees typically run and after discussion language was settled on to be placed in the resolution stating a maximum of \$50/presentation of a check or what is actually incurred, whichever is less. Lastly, Ms. Lasher asked if she needs to issue a tax duplicate bill, that the fee charged be \$15. Mr. Heller asked Ms. Lasher if the resolution needed to be approved tonight. Council could approve via motion and he would draft it to be signed. Ms. Wilt made a motion to approve Resolution 479-2021 and Joe Kiehlmeier seconded it. Motion carried unanimously.

Nicole Brannon – 506 Woodward Avenue – Sewage/Garbage Bill

Ms. Brannon told Council that she purchased 506 Woodward Avenue in January 2020. She shut off the water and other utilities but did not think about the sewage because she assumed that with no water there would be no sewage. She stated that the bills were going to the property address instead of to her as the property owner, and there are back charges that she wants to have removed/forgiven. Ms. Bellas informed Council that there was not backup information to present to them as far as how much the back bills total, etc. She recommended that this issue be tabled until the back up can be received from the Municipal Authority. Mr. Schiano and Ms. Bellas will follow up on this issue.

Wendy Kirkpatrick – Tree in front of 425 North Avenue

Ms. Kirkpatrick was not at the meeting, but Ms. Bellas received an email from her and covered the issue with Council. Ms. Kirkpatrick emailed that in the fall of 2019, someone driving the leave truck hit a branch in front of their house at the corner of North Avenue and Woodward Avenue.

She and her husband witnessed the branch being struck. They didn't think anything of the tree being hit, but she says that the tree trunk cracked and over the course of the year the tree has slowly died. She is asking that the Borough cut the tree down, in lieu of them paying the \$300 they were quoted. Mr. Brautigam asked if this is something we have typically done, and it is not. Mr. Mechling and Ms. Bellas went to look at the tree the morning of January 4, 2021 and the height of the branch that was hit did not meet the Borough's Ordinance 507-4 – Clearance of Trees Above Streets and Sidewalks – limbs must be at least 13 ½ feet above the cartway. There were also leaves around the bottom of the tree, which show that it was alive enough to have and shed leaves. Mr. Heller did let council know that if it is a health and safety issue then Council may want to go ahead with the removal and then lien the property. Mr. Mechling did not feel that the tree was a health and safety issue due to its small stature. Council did not motion to take it down nor to pay to have it removed.

MISCELLANEOUS:

Ms. Williams let council know that a press release was being issued by Brigid Beatty of the Planning Office for the next round of Downtown Revitalization to be taking place. The Revitalization Committee is working on a project to revitalize 1 block North and South on Jefferson and McKean working on ADA Sidewalks, Benches, Parking Meter replacements, Light Pole Replacements.

It was discussed whether the February 1st Meeting would be held in person or via zoom. Mr. Heller told Council that the decision could be made later in the month and a decision would be made based on the positivity rate in the County.

A motion was made to adjourn the meeting by Lesley Williams and seconded by Phil Brautigam. Motion carried unanimously.

Respectfully submitted,
Jennifer Bellas, Manager
Kittanning Borough